

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
EXECUTIVE COMMITTEE
MINUTES OF A PUBLIC HEARING**

DATE.....December 1, 2004
TIME.....4:30 P.M.
PLACE..... CO. OFFICE BLDG.
20 N. 3RD STREET
LAFAYETTE, IN 47901

MEMBERS PRESENT

Mark Hermodson
Dr. Carl Griffin
Gary Schroeder
Steve Schreckengast
Bob Bowman
Dave Williams

MEMBERS ABSENT

KD Benson

STAFF PRESENT

Sallie Fahey
Margy Deverall
Kathy Lind
Doug Poad
Jay Seeger, Atty.
Bianca Bullock

Mark Hermodson called the meeting to order.

I. APPROVAL OF MINUTES

Carl Griffin moved to approve the minutes of the November 3, 2004 Executive Committee public hearing as submitted. Steve Schreckengast seconded and the motion carried by voice vote.

II. NEW BUSINESS

Sallie Fahey informed the Committee that **RESOLUTION PD 04-29 RENAISSANCE PLACE PLANNED DEVELOPMENT (Z-2143)** should be continued until the January 19, 2005 Area Plan Commission public hearing in order to receive final state approval of the project construction plans. She also mentioned **S-3601 – HARRINGTON SUBDIVISION (Minor-Sketch)** needs to be continued to the December 15, 2004 Area Plan Commission public hearing because the Health Department is waiting for soil work.

Gary Schroeder moved to continue **RESOLUTION PD 04-29 RENAISSANCE PLACE PLANNED DEVELOPMENT (Z-2143)** to the January 19, 2005 Area Plan Commission public hearing and **S-3061 – HARRINGTON SUBDIVISION (Minor-Sketch)** to the December 15, 2004 Area Plan Commission public hearing. Carl Griffin seconded and the motion carried by voice vote.

A. TRANSPORTATION RELATED ITEMS

1. RESOLUTION T-04-7:

A resolution to amend the FY 2005 TIP by both INDOT and the City of Lafayette.

Gary Schroeder moved to hear and approve the above-described request. Carl Griffin seconded.

Doug Poad presented information regarding the proposed resolution. He mentioned that both the Technical Transportation and Administrative Committees have recommended approval.

Steve Schreckengast asked if there was a timeline for completion of the Concord Road project.

Doug Poad said that the engineering work would begin in FY 2005 and the second phase of the project will begin in 2006.

Steve Schreckengast asked if construction was included in the first phase of the project.

Doug Poad answered that construction from Brady Lane to CR 350 S would begin in FY 2008.

The Committee voted by ballot 5 yes – 0 no to approve **RESOLUTION T-04-7 (SECTION 1 – HOOSIER HEARTLAND & SECTION 2 – CONCORD ROAD PROJECTS)**.

The Committee voted by voice vote 5 yes – 0 no to approve **RESOLUTION T-04-7 (SECTION 3 – CR 300 N BRIDGE)** which will allow the TIP to be administratively amended by the Executive Director when INDOT submits the CR 350 N Bridge Project.

B. PRIMARY APPROVAL EXTENSION REQUEST

1. WESTSIDE COMMONS SUBDIVISION (S-2896)

The developer is requesting a 2-year extension of the conditional primary approval, originally granted December 15, 1999 for a 3-lot subdivision of 3.8 acres located on the east side of Kent Avenue in McClure Park Subdivision, West Lafayette, Wabash 7 (NW) 23-4.

Gary Schroeder moved to hear approve the above-described request. Carl Griffin seconded.

Sallie Fahey highlighted the staff report with recommendation of approval contingent on any applicable conditions of the original primary approval.

Patrick Cunningham, Vester and Associates, 309 Columbia Street, Lafayette, IN, concurred with the staff report and requested approval.

Bob Bowman asked how many extensions are allowed for a subdivision.

Sallie Fahey responded there is no limit.

Jay Seeger concurred.

The Committee voted by ballot 5 yes – 0 no to approve the **PRIMARY APPROVAL EXTENSION REQUEST – WESTSIDE COMMONS SUBDIVISION (S-2896)**

Dave Williams entered the meeting at 4:45.

III. PUBLIC HEARING

Gary Schroeder moved that the Comprehensive Plan for Tippecanoe County, the Unified Zoning Ordinance of Tippecanoe County, and the Unified Subdivision Ordinance for Tippecanoe County, Indiana are hereby entered by reference into the record of each agenda item. Steve Schreckengast seconded and the motion carried by voice vote.

A. SUBDIVISIONS

1. S-3600 – ROBERTS LANDING SUBDIVISION (Minor-Sketch):

Petitioner is seeking primary approval for a three-lot subdivision on 9.05 acres located on the south side of SR 25 N, just north of CR 900 N, Washington 1 (SE- 24-3.

Gary Schroeder moved to hear and approve the above-described request. Steve Schreckengast seconded.

Kathy Lind presented slides of the zoning map, aerial photos and sketch plan. She highlighted the staff report with recommendation of conditional primary approval, contingent on the following:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the INDOT approved entrance(s), a “No Vehicular Access” statement shall be platted along the SR 25 right-of-way line.
2. An issued permit or other proof of approval of the drive locations from INDOT must be received prior to recordation of the final plat.
3. If there is a mortgage on the property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
4. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
5. A standard 10’ utility easement shall be platted along the SR 25 frontage.
6. All required building setbacks shall be platted; the front setback shall be platted at 40’.
7. The Regulatory Flood Elevation and Boundary for the ditch or creek on petitioner’s property shall be shown. It shall also be described and certified as specified in Unified Zoning Ordinance, Section 2-26-17.

8. The street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

9. The “No Vehicular Access” statement shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

Bob Gross, 420 Columbia Street, Ste 100, Lafayette, IN, concurred with the staff report and requested approval.

Carl Griffin asked why the sketch plan initially showed a 60' right-of-way and setback.

Bob Gross explained that was a mistake, as the Thoroughfare Plan was difficult to read. He said he thought the road was a primary arterial but it is a secondary arterial.

The Committee voted by ballot 6 yes – 0 no to grant conditional primary approval to **S-3600 – ROBERTS LANDING SUBDIVISION (Minor-Sketch)**.

IV. APPROVAL OF THE DECEMBER APC PUBLIC HEARING AGENDA

Sallie Fahey added an item of new business to the December 15, 2004 Area Plan Commission Public hearing agenda: **RESOLUTION T-04-9: AMENDMENT TO THE FY 05 UPWP for CityBus.**

Gary Schroeder moved to place the following items of new business on the December 15, 2004 Area Plan Commission Public Hearing Agenda:

RESOLUTION T-04-8

RESOLUTION T-04-9

Carl Griffin seconded and the motion carried by voice vote.

Gary Schroeder moved that the following rezone petitions be placed on the December 15, 2004 Area Plan Commission Public Hearing Agenda:

Z-2208 – PRICE HILL FARMS, INC. (R1 TO I3)

Z-2215 – 900 PLACE, LLC (Catherwood Gardens PD) (R1 AND R3W TO PDRS)

Z-2216 – WILLIAM FLEISCHHAUER (Chauncey Townhomes PD) (R3W TO PDRS)

Z-2218 – REGENCY PROPERTIES, LLC (R1 TO GB)

Z-2219 – JACKI McCUE (AW TO A)

Z-2220 – MANN PROPERTIES (Lauren Lakes) (R1 TO PDRS)

Z-2221 – LB ASSOCIATES, INC. (R3 & GB TO GB)

Carl Griffin seconded and the motion carried by voice vote.

Gary Schroeder moved that the following subdivisions be placed on the December 15, 2004 Area Plan Commission public hearing agenda at petitioner's request; placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

S-3607 – CASCADA BUSINESS PARK

Carl Griffin seconded and the motion carried by voice vote.

V. REVIEW AND APPROVAL OF THE NOVEMBER BUDGET REPORT

Sallie Fahey highlighted the written November budget report.

Carl Griffin moved to approve the November, 2004 Budget Report as submitted. Gary Schroeder seconded and the motion carried by voice vote.

VI. OTHER BUSINESS

Sallie Fahey explained that the initial idea regarding All-Hazard Mitigation Plan consultant fees was to move money from our salary budget to the Commissioners budget, have them hire the consultant and sign the contract. She said to do that requires a reduction in appropriations in our budget and increased appropriations in the Commissioners' budget and, additionally, because it is the general fund, the move

has to be approved by the state, which cannot happen before January 1, 2005. She mentioned that she consulted with John Knochel and asked if the Committee would authorize her to approach the County Council to move \$30,000 from the salary budget to another line item for the consultant. She explained that move will allow the Commissioners to sign a contract based on money available and then the money will be encumbered for next year.

Steve Schreckengast said he feels it is better to give a blanket approval, not just limit authorization to the County Council, but rather allow Sallie to negotiate with any government entity, such as the County Auditor or County Attorney.

Jay Seeger said that the request has to go to the County Council who will make the decision, there is no way to make the authorization more broad than it already is.

Carl Griffin moved to authorize Sallie Fahey to approach the County Council to move \$30,000 from the Area Plan 2004 salary budget into another line item for the purpose of paying All-Hazard Mitigation Plan consultant fees. Gary Schroeder seconded and the motion carried by voice vote.

VII. ADJOURNMENT

Carl Griffin moved for adjournment. Gary Schroeder seconded and the motion carried by voice vote.

The meeting adjourned at 5:15 p.m.

Respectfully submitted,



Bianca Bullock
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director